

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Christopher J. France,)
)
Plaintiff,)
)
v.)
)
County of Charleston, Alice A. Richter,)
Thomas T. Hodges, Julie J. Armstrong,)
Emily G. Johnson, Victoria K. Rhea,)
Sara Von Schweinitz, Michael H. Leach,)
Lisa A. France,)
)
)
)
Defendants.)
_____)

Civil Action No. 2:23-157-BHH

ORDER

This matter is before the Court upon Plaintiff Christopher J. France's ("Plaintiff") pro se complaint, which was referred to a United States Magistrate Judge for initial review, in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.).

In an order dated March 21, 2023, the Magistrate Judge notified Plaintiff of material defects in his complaint and gave him the opportunity to cure the defects by filing an amended complaint. Plaintiff did not, however, file an amended complaint. =

Accordingly, on May 16, 2023, the Magistrate Judge issued a Report and Recommendation ("Report"), outlining the issues and indicating that the Court dismiss this action without prejudice and without issuance and service of process. Attached to the Report was a notice advising the Plaintiff of the right to file written objections to the Report within fourteen days of receiving a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final

determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because no objections were filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and hereby dismisses this action without prejudice and without issuance and service of process.

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

June 8, 2023
Charleston, South Carolina